

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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In re: :  
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THE FINANCIAL OVERSIGHT AND : PROMESA  
MANAGEMENT BOARD FOR PUERTO RICO, : Title III  
:  
as representative of : Case No. 17-BK-3283 (LTS)  
:  
THE COMMONWEALTH OF PUERTO RICO, *et al.*, : (Jointly Administered)  
:  
Debtors.<sup>1</sup> :  
----- X

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:  
In re: :  
:  
THE FINANCIAL OVERSIGHT AND : PROMESA  
MANAGEMENT BOARD FOR PUERTO RICO, : Title III  
:  
as representative of : Case No. 17-BK-3566 (LTS)  
:  
THE EMPLOYEES RETIREMENT SYSTEM OF THE :  
GOVERNMENT OF THE COMMONWEALTH OF :  
PUERTO RICO (ERS) :  
:  
Debtor. :  
----- X

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:  
In re: :  
:  
THE FINANCIAL OVERSIGHT AND : PROMESA  
MANAGEMENT BOARD FOR PUERTO RICO, : Title III  
:  
as representative of : Case No. 17-BK-3567 (LTS)  
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<sup>1</sup> The Debtors in these Title III cases, along with each Debtor's respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566(LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780) (Last Four Digits of Federal Tax ID: 3747).

PUERTO RICO HIGHWAYS AND TRANSPORTATION AUTHORITY (HTA)	:	
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	:	
Debtor.	:	
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	:	
In re:	:	
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THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,	:	PROMESA
	:	Title III
	:	
as representative of	:	Case No. 17-BK-3284 (LTS)
	:	
PUERTO RICO SALES TAX FINANCING CORPORATION (COFINA)	:	
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Debtor.	:	
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	:	
In re:	:	
	:	
THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,	:	PROMESA
	:	Title III
	:	
as representative of	:	Case No. 17-BK-4780 (LTS)
	:	
PUERTO RICO ELECTRIC POWER AUTHORITY (PREPA)	:	
	:	
	:	
Debtor.	:	
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**RESPONSE OF OFFICIAL COMMITTEE OF UNSECURED CREDITORS TO  
MOTION OF ASOCIACION DE EMPLEADOS DEL ESTADO LIBRE ASOCIADO FOR  
EXTENSION OF BAR DATE TO FILE PROOFS OF CLAIM AND REQUEST TO  
MAKE ANY RELIEF GRANTED APPLICABLE TO CREDITORS OF ALL DEBTORS**

The Official Committee of Unsecured Creditors of all Title III Debtors (other than COFINA) (the “Committee”) hereby submits this response (the “Response”) to the motion of Asociación de Empleados del Estado Libre Asociado (“AEELA”) for an extension of the bar

date to file proofs of claim, dated May 23, 2018 [Docket No. 279] (the “Motion”), and respectfully represents as follows:<sup>2</sup>

### **RESPONSE**

1. On February 15, 2018, this court established 4:00 p.m. (AST) on May 29, 2018, as the general deadline (the “General Bar Date”) for filing proofs of claim against the Title III Debtors.<sup>3</sup> The Motion requests that the General Bar Date be extended for AEELA and its members by 23 days from the date of the filing of the Motion, *i.e.*, to June 15, 2018. The Committee supports the requested relief, as it believes, based on its extensive interaction with unsecured creditors (see paragraph 2 below), that certain creditors not familiar with the proof of claim filing process, including thousands of local Puerto Rico creditors, could benefit from additional time to file their claims. Accordingly, the Committee requests that, to the extent the court is inclined to grant the Motion, the court should extend the General Bar Date by 30 days for **all** creditors subject to the General Bar Date.

2. Throughout these Title III cases, the Committee has sought to ensure that unsecured creditors are in the position, and have the full opportunity, to submit timely proofs of claims. For example, during the month of April 2018, the Committee undertook the unprecedented and innovative effort of coordinating and hosting creditor information sessions regarding the claims-filing process in various locations across the island of Puerto Rico, namely San Juan, Ponce, Mayagüez, and Arecibo.

3. The Committee is concerned—including as a result of feedback received during the creditor information sessions—that any order extending the deadline for one creditor (or

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<sup>2</sup> Given that this Response relates to all Title III Debtors, the Committee has filed this Response in each of the Debtors’ Title III cases.

<sup>3</sup> See Order (A) Establishing Deadlines and Procedures for Filing Proofs of Claim and (B) Approving Form and Manner of Notice Thereof [Docket No. 2521].

group of creditors) could potentially confuse and prejudice other creditors who may misinterpret the scope of any such order, which only further complicates the already daunting process of submitting timely proofs of claim. For these reasons, the Committee respectfully requests that, to the extent the court is inclined to grant the Motion, **the General Bar Date should be extended for all creditors by 30 days**. Indeed, it is also hard to conceive that there would be any prejudice to the Debtors from such a 30-day extension.

4. The Committee is mindful of the fact that the court may view this Response as a cross-motion requesting substantive relief, requiring separate notice and opportunity for a hearing. The Committee submits, however, that the court always has the authority to extend its own court-approved deadlines, such as a claims bar date, on a *sua sponte* basis, and believes that such an extension is appropriate under the circumstances.

5. Finally, in light of the Committee's request to extend the benefits of a short extension of the General Bar Date to all creditors, the Committee is filing this Response the day before the May 25 objection deadline set by the court, so as to allow the Oversight Board and other parties in interest to react to the Committee's Response in their responses or objections to the Motion.

*[Remainder of page intentionally left blank.]*

WHEREFORE, the Committee respectfully requests that, to the extent this court grants the relief requested in the Motion, it extend the General Bar Date by 30 days for all creditors and grant such other relief as this court deems just and proper.

Dated: May 24, 2018

/s/ Luc A. Despins

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*Counsel to the Official Committee of Unsecured Creditors*

- and -

/s/ Juan J. Casillas Ayala

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